

### REMARKS

Applicants appreciate the Examiner's consideration of their prior response, the withdrawal of many of the prior rejections, and the allowance of Claims 4-6, 36-39, 42, 45-48 and 57-60. Applicants are making a minor amendment to Claim 57 to correct an informality in the claim. This amendment should not affect the allowability of this claim.

Applicant's are also canceling Claim 50 without prejudice or disclaimer and amending Claim 51 accordingly.

Applicants will now address the Examiner's remaining objections and rejections in the order in which they appear in the Office Action.

#### Claim Objections

In the Office Action, the Examiner objects to Claims 40, 41 and 44 as being of improper dependent form for failing to further limit the subject matter of the previous claim. This rejection is respectfully traversed.

While Applicants traverse this rejection, in order to advance the prosecution of this application, Applicants are canceling Claims 40, 41 and 44, without prejudice or disclaimer, rendering this rejection moot.

Accordingly, it is respectfully requested that this rejection be withdrawn.

#### Claim Rejections - 35 USC §112

The Examiner also rejects Claims 43, 44, 49-56 and 61-64 under 35 USC §112, second paragraph, as being indefinite. This rejection is also respectfully traversed.

While Applicants traverse this rejection, in order to advance the prosecution of this application, Applicants are canceling Claims 43 and 44, without prejudice or disclaimer, rendering the rejection of these claims moot.

With regard to Claims 53 and 61, in order to advance the prosecution of this application, Applicants are amending these claims to recite “wherein the first layer comprises a first light emitting material and a perylene as a guest material.” It is respectfully submitted that this should overcome the Examiner’s objection to these claims.

With regard to Claim 49, Applicants are amending this claim to delete the recital regarding perylene, which should overcome the Examiner’s objection to this claim.

With regard to Claim 55, Applicants are amending this claim to recite “wherein the second layer further comprises a second light emitting material which emits a green light.” This amendment should overcome the Examiner’s objection as to antecedent basis.

With regard to Claim 63, Applicants are amending this claim to recite “wherein the third layer further comprises a third light emitting material which emits a red light.” This amendment should overcome the Examiner’s objection as to antecedent basis.

Accordingly, it is respectfully submitted that the Examiner’s objections have been overcome, and it is respectfully requested that the §112 rejection be withdrawn.

#### Claim Rejections - 35 USC §103

The Examiner also rejects Claims 49-52 under 35 USC §103(a) as being unpatentable over Nakagawa et al. (US 2004/0124766) in view of Shi et al. (US 6,680,132). This rejection is also respectfully traversed.

While Applicants traverse this rejection, in order to advance the prosecution of this application, Applicants are amending independent Claim 49 to recite “wherein the metal complex represented by the general formula in the electroluminescence layer is a guest material.”

It is respectfully submitted that neither Nakagama nor Shi appear to disclose or suggest these claimed features.

Therefore, independent Claim 49 is not disclosed or suggested by the cited references, and Claim 49 and those claims dependent thereon are patentable over these references. Accordingly, it is respectfully requested that this rejection be withdrawn.

#### Conclusion

It is respectfully submitted that the present application is in a condition for allowance and should be allowed.

If any fee should be due for this amendment, please charge our deposit account 50/1039.

Favorable reconsideration is earnestly solicited.

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Respectfully submitted,

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